



The Public Service Commission State of South Carolina

Charles L.A. Terreni
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Legal Department
F. David Butler, General Counsel
Phone: (803) 896-5113
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February 14, 2006

Mrs. Beatrice Weaver
1253 Harllees Bridge Rd.
Dillon, SC 29536

2/14/06
6001

RE: Docket No. 2004-219-E- Freedom of Information Act Request

Dear Ms. Weaver:

This letter is in response to your letter dated February 7, 2006. In response to your first question, the parties of record and their representatives in Docket No. 2004-219-E are as follows: 1. Len Anthony, Esquire, Progress Energy Service Company, LLC, Post Office Box 1551, Raleigh, North Carolina 27602; 2. Shannon Bowyer Hudson, Esquire, Office of Regulatory Staff, Post Office Box 11263, Columbia, South Carolina 29211; 3. Gary Weaver, Post Office Box 7682, Florence, South Carolina 29502; and 4. Beatrice Weaver, 1253 Harllees Bridge Road, Dillon, South Carolina 29536.

Regarding your second question, I do not know Mr. Gary Walsh's interest or role in Docket No. 2004-219-E. My research does not indicate that he is a party of interest.

Next, regarding your fourth question, my research only found three "formal" complaints/dockets involving Progress Energy from the year 2002 until present: Docket No. 2004-219-E; Docket No. 2004-180-E; and Docket No. 2003-165-E. Although you received copies of the orders from these dockets in my previous letter, I have enclosed copies of Commission orders from Docket Nos. 2004-219-E (Order Nos. 2004-590, 2004-589, 2004-595, 2005-96, 2005-111, 2005-628, and 2005-744) and 2004-180-E (Order Nos. 2004-587 and 2004-590). As you are probably aware, Docket No. 2004-180-E is no longer pending before the Commission. Docket No. 2004-219-E is still pending before the Commission.

The complaint in Docket No. 2003-165-E is still pending before the Commission. Therefore, the Commission has not ruled or issued an order in Docket No. 2003-165-E.

Sincerely,

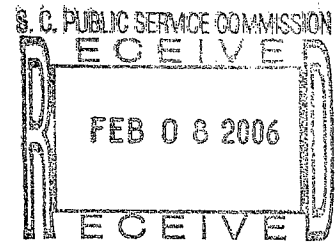
Jocelyn G. Boyd
Jocelyn G. Boyd
Deputy Clerk

cc: All Parties of Record

1253 Harllees Bridge Rd
Dillon S.C. 29536
843 841 1606

February 7, 2006

Ms. Jocelyn G. Boyd
Deputy Clerk
Docketing Dept.
S.C. Public Service Commission
PO Drawer 11649, Colombia S.C. 29211
Ph: 803 896 5100; Fax: 803 896 5199



Dear Ms. Boyd:

Subject: Request for Data

Re: File No: 2004-219-E

Thank you for your efficient cooperation in handling my previous requests. As you suggested I have contacted ORS for the complaint history. Believe it or not I actually submitted a request to that Office back in Feb. 11, 2005 one year ago, to no avail.

Now that I am back from hospital I am commencing to prepare my case against Progress Energy. For this purpose, I need some further assistance from your Office.

1. Parties at Interest: I do not know the "Parties at Interest" in this case who are entitled to receive copies of pleadings, etc. The Petitioner has copied so many people that I do not know who has a right to receive documents. Therefore, for my record, please forward me the official list of the Parties at Interest in this case, who the Commission requires me to copy any filings.
2. Gary Walsh: Petitioner has copied data to Mr. Walsh, the former Executive Director of the Commission. What is his role if any, in this case? Is he now a "party at interest"?
3. Record of Formal Complaints Against Progress Energy: As I understand your message, the ORS keeps records of the INFORMAL complaints, and your Commission Office keeps the records of the FORMAL Complaints. As noted, I have contacted ORS for the informal complaints.
4. However, I am not sure if the one case you sent me is the only formal complaint filed against Progress Energy, since 2002, or if there were others. Please kindly elaborate. I am particularly interested in the number of "formal" complaints filed against Progress energy over this period and the disposition of the cases by the Commission for and against the parties.

5. Copy of the Petition to Change Providers: You very kindly sent me some data on this complaint. Could you also send me the Commission Order(s) disposing of that case for or against the Petitioners? I am especially interested in the Commission's Findings of Facts and Law in the case. I do not have access to the Internet as you suggested. As it happens I have discussed this aspect with another provider and I would like to know the outcome of the Petition case you sent me if possible.

6. All the above are public record. I would greatly appreciate your kind cooperation in providing the above data at your earliest convenience since time is of the essence.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Beatrice Weaver", is written over the typed name. The signature is fluid and somewhat stylized, with a long horizontal stroke extending from the end of the name.

Cc: Mr. Mr. Charles L.A. Terreni
Chief Clerk/Administrator
S.C. Public Service Commission

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 2004-180-E & 2004-219-E - ORDER NO. 2004-590

DECEMBER 1, 2004

IN RE: Docket No. 2004-180-E - Petition of Progress)	ORDER RULING ON
Energy Carolinas, Inc. for Waiver of R.103-)	PROCEDURAL
339(6) of the Commission's Regulations with)	MATTERS
Respect to One Customer.)	
)	
AND)	
)	
Docket No. 2004-219-E – Petition of Progress)	
Energy Carolinas, Inc. to Terminate Service.)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission), *inter alia*, by way of a request of Progress Energy Carolinas, Inc. (Progress Energy or the Company) to withdraw its Petition for Waiver of Commission Rule 103-339(6). Progress Energy states that it now has access to the meters on the Weaver property (which it did not have before) and the Company has permission from Beatrice Weaver for the Company to estimate bills for August and September, 2004. We grant withdrawal of the Petition for Waiver, based on good cause shown.

Accordingly, we deny Beatrice Weaver's request to consolidate Progress Energy's Petitions in Docket Nos. 2004-180-E and 2004-219-E, since we have now granted a withdrawal of the Petition in Docket No. 2004-180-E. See above.

Lastly, we grant Beatrice Weaver's request for a formal hearing on Progress Energy's Petition for Termination of Service (Docket No. 2004-219-E), the Answer to

the Petition, and the Counterclaim. A hearing seems reasonable to explore the issues in this rather complex matter.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2004-180-E - ORDER NO. 2004-587

November 30, 2004

IN RE: Petition of Progress Energy Carolinas, Inc. for)	ORDER
Waiver of R.103-339(6) of the Commission's)	GRANTING
Regulations with Respect to One Customer.)	WAIVER
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the petition of Progress Energy Carolinas, Inc. (Progress Energy or the Company) for waiver of 26 S.C. Code Ann. Regs. 103-339(6) as to customer, Beatrice Weaver. Progress Energy notes in its Petition that Regulation 103-339(6) requires that "Each electrical utility shall not send a customer an estimated bill, except for good cause, where the meter could not be read or was improperly registering. In no instance will more than one estimated bill be rendered within a 60-day period, unless otherwise agreed to by the customer."

Progress Energy states that it and its meter reading contractor have encountered difficulties gaining access to the property of the Weavers for the purpose of monthly meter readings. Mrs. Weaver owns the 10 acre tract of land. The Company notes that on some meter reading dates, the gates are locked and no one responds to telephone calls. On other occasions, the gates are open, but the meter readers are verbally accosted by Mr. or Mrs. Weaver, and are forced to leave the property without reading the meters. Mrs. Weaver has also apparently threatened to swear out warrants for trespassing against any meter readers who enter the property. According to Progress Energy, these problems have necessitated a number of estimated meter readings. Because of these and other problems,

Progress Energy is asking for a waiver of Regulation 103-339(6) to allow for one or more estimated meter readings, if necessary.

Beatrice Weaver has now agreed to allow billing based on estimates instead of actual meter readings.

Commission Regulation 103-301(3)(1976) states that where compliance with a regulation introduces unusual difficulty, such regulation may be waived by the Commission upon a finding by the Commission that such waiver is in the public interest. We believe that compliance with the Regulation by Progress Energy in the present scenario definitely introduces unusual difficulty, because of the various barriers to meter reading erected by the Weavers. We certainly believe the Regulation should be waived as being in the public interest, especially since Mrs. Weaver has now agreed to allow billing based on estimates. Accordingly, the waiver is granted.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 2004-180-E & 2004-219-E - ORDER NO. 2004-590

DECEMBER 1, 2004

IN RE: Docket No. 2004-180-E - Petition of Progress)	ORDER RULING ON
Energy Carolinas, Inc. for Waiver of R.103-)	PROCEDURAL
339(6) of the Commission's Regulations with)	MATTERS
Respect to One Customer.)	
)	
AND)	
)	
Docket No. 2004-219-E – Petition of Progress)	
Energy Carolinas, Inc. to Terminate Service.)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission), *inter alia*, by way of a request of Progress Energy Carolinas, Inc. (Progress Energy or the Company) to withdraw its Petition for Waiver of Commission Rule 103-339(6). Progress Energy states that it now has access to the meters on the Weaver property (which it did not have before) and the Company has permission from Beatrice Weaver for the Company to estimate bills for August and September, 2004. We grant withdrawal of the Petition for Waiver, based on good cause shown.

Accordingly, we deny Beatrice Weaver's request to consolidate Progress Energy's Petitions in Docket Nos. 2004-180-E and 2004-219-E, since we have now granted a withdrawal of the Petition in Docket No. 2004-180-E. See above.

Lastly, we grant Beatrice Weaver's request for a formal hearing on Progress Energy's Petition for Termination of Service (Docket No. 2004-219-E), the Answer to

the Petition, and the Counterclaim. A hearing seems reasonable to explore the issues in this rather complex matter.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)

IN RE: Petition of Progress Energy Carolinas, Inc. to) ORDER
 Terminate Service.) DENYING
) REQUEST
)

BY ORDER OF THE COMMISSION:

(SEAL)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-219-E - ORDER NO. 2004-595
DECEMBER 3, 2004

IN RE: Petition of Progress Energy Carolinas, Inc. to) ORDER
Terminate Service.)
)
)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of Beatrice Weaver for a 3 month continuance of the December 9, 2004 hearing in this matter. The grounds for this motion are medical, as documented by letters from Ms. Weaver's physicians. Progress Energy Carolinas, Inc. (Progress Energy or the Company) opposes the continuance.

We grant the continuance, based on medical reasons as stated in the letters from Ms. Weaver's physicians. A hearing shall be held on March 10, 2005. Progress Energy has already prefiled its direct testimony in this matter. Ms. Weaver and any other parties of record shall prefile their direct written testimony on or before February 17, 2005. Rebuttal testimony shall be filed on or before February 28, 2005. Parties filing surrebuttal testimony shall prefile this testimony on or before March 3, 2005.

Further, Ms. Weaver shall serve her response to Progress Energy's interrogatory on Progress Energy on or before February 3, 2005.

In addition, by way of this Order, all parties are hereby notified that this Commission, absent the most exigent circumstances, will not grant any further

continuances in this Docket. By establishing a hearing date of March 10, 2005, all parties have been given ample and adequate notice to thoroughly prepare for the hearing.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)

IN RE: Petition of Progress Energy Carolinas, Inc. to) ORDER DIRECTING
 Terminate Service) COMMISSION STAFF
) TO PREPARE LETTER

The questions posed are related to the nature of the carcinoma reported by Mrs. Weaver, the date and nature of the surgery associated with it, the type of treatment and duration of treatment to be performed in Durham, North Carolina, and information regarding the facility to be used for convalescent purposes in Arizona. We have considered the information sought, and we hold that obtaining the same information would allow this Commission to give every consideration to the merits of Mrs. Weaver's

request. We are therefore directing the Commission Staff to prepare a letter to Mrs. Weaver, which requests the information sought by Progress Energy.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Beatrice Weaver has filed a Motion to Continue the presently scheduled hearing in this Docket, which is set for March 10, 2005.
2. The grounds for the Motion include some details of a diagnosis and planned course of treatment, the treatment due to take place in part on the scheduled date of the hearing.
3. Progress Energy has filed a letter requesting more information as to the nature of the illness and the treatment therefore.
4. We believe that the Commission Staff should prepare a letter to Mrs. Weaver requesting the information sought by Progress Energy, so that this Commission may give every consideration to the merits of Mrs. Weaver's Motion to Continue.

ORDER

The Commission Staff shall prepare a letter to Mrs. Beatrice Weaver requesting the information sought by Progress Energy, so that this Commission may give every consideration to the merits of Mrs. Weaver's Motion to Continue.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-219-E - ORDER NO. 2005-111
MARCH 14, 2005

IN RE: Petition of Progress Energy Carolinas, Inc. to) ORDER GRANTING
Terminate Service.) CONTINUANCE

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of Mrs. Beatrice Weaver to continue the March 10, 2005, hearing in this Docket, due to a diagnosis of a carcinoma, and due to Mrs. Weaver being in Durham, North Carolina on the hearing date to receive radiation treatment for the condition. Pursuant to Order No. 2005-96, the Commission Staff prepared a letter seeking further details with regard to the nature of Mrs. Weaver's illness and its treatment so that the Commission could give every consideration to the merits of her Motion.

Although complete details were not provided, a reply to the Commission Staff's letter was received from Alan Green, MSW, LCSW of the Duke University Health System. With Mrs. Weaver's permission, Mr. Green confirmed that Mrs. Weaver was undergoing radiation treatment for carcinoma at Duke University and had been since December, 2004. Further, Mr. Green noted that this treatment would end on or about May 2, 2005, but that on the hearing date set herein, Mrs. Weaver would still be a radiation treatment patient at Duke.

Further, in a document submitted by Mrs. Weaver on or about March 4, 2005, Mrs. Weaver requested that the hearing be continued for some ninety (90) days, to on or about June 10, 2005, or preferably to the second part of June, 2005, due to the medical prognostications filed with the Commission.

Considering these submissions, we agree that the “exigent circumstances” standard set by us in Order No. 2004-595 has been met, and the hearing should be continued until some time in June, as suggested by Mrs. Weaver. However, because of the many delays in adjudication of this case, we believe that further continuances will only be granted under further exigent circumstances.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Mrs. Beatrice Weaver has filed a Motion for Continuance of the hearing in this case.
2. Pursuant to a letter sent by Commission Staff, a letter was received from Duke University Hospital personnel, which states *inter alia* that Mrs. Weaver will be in Durham undergoing radiation therapy for a carcinoma on March 10, 2005, the hearing date.
3. This meets the “exigent circumstances” standard for a continuance, set by us in Order No. 2004-595.
4. As per Mrs. Weaver’s request, the hearing shall be continued past March 10, 2005, and shall be set for some appropriate time in June 2005.
5. Further continuances will only be granted under further “exigent circumstances,” because of the delays in the adjudication of this case.

ORDER

The March 10, 2005 hearing is continued until a time to be set by the Commission Staff in June, 2005. No further continuances shall be granted absent further exigent circumstances. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-219-E - ORDER NO. 2005-628
OCTOBER 31, 2005

IN RE: Petition of Progress Energy Carolinas, Inc. to Terminate Service.))))	ORDER GRANTING REQUEST TO WITHDRAW PETITION WITHOUT PREJUDICE
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This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Progress Energy Carolinas, Inc. (PEC or the Company) to withdraw the Company's Petition to Terminate Service in the instant docket. This proceeding was established upon the filing of a petition by PEC on August 4, 2004, to terminate electric service to three electric service accounts at 1253 Harllees Bridge Road, Little Rock, South Carolina, under the names of Gary Weaver, Beatrice Weaver, and Renaissance International, Inc.

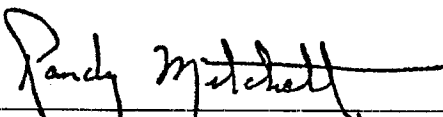
On October 17, 2005, PEC filed a request with the Commission seeking to withdraw its Petition to Terminate Service. According to PEC, the problems that motivated the Company to file the petition in August, 2004, are no longer an issue; therefore, PEC wishes to withdraw its petition. At present, a hearing is scheduled in this matter for December 14, 2005. In light of the Company's withdrawal of its petition, PEC requests that the Commission cancel the hearing as it is no longer necessary.

After consideration of the representations of the Company, we find that the requested relief should be granted.

IT IS THEREFORE ORDERED THAT:

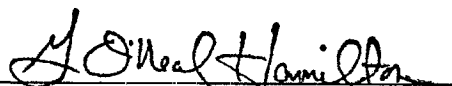
1. Progress Energy Carolinas, Inc.'s Petition to Terminate Service is hereby withdrawn without prejudice.
2. The hearing presently scheduled in this matter for December 14, 2005, is hereby cancelled.
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice Chairman

(SEAL)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-219-E - ORDER NO. 2005-744
DECEMBER 16, 2005

IN RE: Petition of Progress Energy Carolinas, Inc. to) ORDER RULING ON
Terminate Service.) VARIOUS REQUESTS
) AND ESTABLISHING
) HEARING

This matter comes before the Public Service Commission of South Carolina (the Commission) on certain requests in this Docket filed by Ms. Beatrice Weaver.

By letter received in the Commission Offices on November 22, 2005, Ms. Weaver made certain requests with regard to this Commission's Order No. 2005-628, which, according to Commission records, was received by Ms. Weaver via certified mail on November 1, 2005. As to those requests of Ms. Weaver which ask for reconsideration of issues addressed in Order No. 205-628, said requests are untimely as per S.C. Code Ann. Section 58-27-2150, and must therefore be denied. As for other issues raised by Ms. Weaver in that letter, namely 1) which gate Progress Energy may use to access her electric meters, and 2) what mailing procedures Progress used in service of its Withdrawal of its Petition, such issues would more appropriately be addressed to Progress Energy Carolinas, Inc. (Progress Energy), rather than to this Commission.

In regard to Ms. Weaver's follow-up letter of November 25, 2005, received by this Commission on December 1, 2005, Ms. Weaver requested that the Chief Clerk of

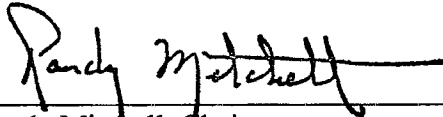
this Commission issue instructions to Progress Energy to install an electric meter at her residence at 1253 Harllees Bridge Road (in Dillon, South Carolina), and to open an account in her name and supply her with electricity, no later than December 15, 2005. Since the Chief Clerk of this Commission does not have the authority to take such action, Ms. Weaver's request has been construed as a request for this Commission to take the requested action.

By letter filed on December 9, 2005, Progress Energy provided its perspective on the previous discontinuance of Ms. Weaver's electric service at her residence. Progress Energy also contested her request to reenergize electric service at her house until the debt for unpaid electric bills at the premise is paid, stating that Ms. Weaver maintains active electric service accounts for two separately-metered buildings on her property and that she is not facing disconnection for non-payment because she lacks the means to pay the electric bill in question. As such, this request is a contested matter and should be scheduled for hearing at a time consistent with the Commission's current schedule.

We have considered this matter, and, upon reflection, we hereby instruct the Commission Staff to schedule a hearing as soon as possible on this matter in 2006, consistent with the Commission's current schedule. In order to facilitate Ms. Weaver's participation in such a hearing and due to previous statements that she has made regarding travel difficulties, Staff shall explore the possibility of arranging for her participation in the hearing by video conference hook-up in order to facilitate her participation in the proceedings.

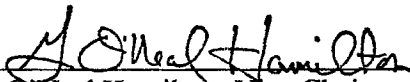
This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice Chairman

(SEAL)